



34592-C-PCT-USA-A-A (070050)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fisher *et al.*
Serial No. : To Be Assigned, a Examiner: To Be Assigned
continuation of 10/716,985
Filed : September 30, 2004 Group Art Unit: To Be Assigned
For : DEVELOPMENT OF DNA PROBES AND IMMUNOLOGICAL
REAGENTS SPECIFIC FOR CELL SURFACE-EXPRESSED
MOLECULES AND TRANSFORMATION-ASSOCIATED
GENES

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION AND PETITION TO EXTEND TIME**

September 30, 2004

EXPRESS MAIL NO: ED 292752154 US

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Mail Stop Missing Parts

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application ("Notice") mailed March 2, 2004, applicants submit herewith a processing and retention fee pursuant to 37 C.F.R. § 1.53(f). A continuing application which claims priority under 37 C.F.R. § 1.78(a)(1)(iv) is being filed concurrently and submitted under separate cover (copy enclosed).

10/05/2004 HDEHESS1 00000043 10716985

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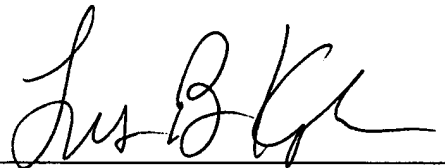
530.00 OP

Applicants submit a processing and retention fee in the amount of \$130, set forth in 37 C.F.R. § 1.21(l), in lieu of a response to the Notice. A copy of the Notice is enclosed.

Applicants request a five month extension of time. In a partial response to the Notice dated August 27, 2004, applicants requested a four month extension of time and paid the \$ 1,480 fee. Applicants now submit an additional \$ 530 to secure the extension of time for the fifth month. Applicants do not believe that any additional fee is required in connection with the submission of this document. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

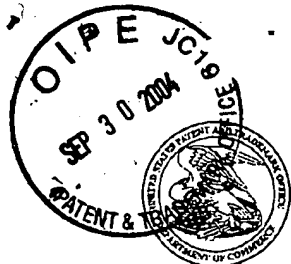
By:



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10-01-04

ZFW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/716,985	11/19/2003	Paul B. Fisher	34592-C-PC-T-US-A 070050.2

CONFIRMATION NO. 8990

FORMALITIES LETTER



OC000000012008467

21003
 BAKER & BOTTS
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112

Date Mailed: 03/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Ruoquian Shen
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 13A, 15C, 15D.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the

"Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Y. G.
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE